

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

REGINA HENRY-MORRIS,

Plaintiff,

vs.

Civil Action 2:13-cv-1085
Judge Marbley
Magistrate Judge King

HARVEST CREDIT MANAGEMENT
VII, LLC,

Defendant.

REPORT AND RECOMMENDATION

Plaintiff reported that this case had been settled, *Notice of Settlement*, Doc. No. 6, and the Court expected the dismissal of the action by January 10, 2014. *Order*, Doc. No. 7. On January 13, 2014, when the case remained pending, the Court ordered plaintiff to report on the status of this case by January 15, 2014. *Order*, Doc. No. 8. Plaintiff was also expressly advised that her failure to respond to that order could result in the dismissal of the action for failure to prosecute. *Id.* There has nevertheless been no response to the order. It therefore appears that plaintiff has abandoned the prosecution of this case.

It is therefore **RECOMMENDED** that this case be dismissed for failure to prosecute.

If any party seeks review by the District Judge of this *Report and Recommendation*, that party may, within fourteen (14) days, file and serve on all parties objections to the *Report and Recommendation*, specifically designating this *Report and Recommendation*, and the part

thereof in question, as well as the basis for objection thereto. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Response to objections must be filed within fourteen (14) days after being served with a copy thereof. Fed. R. Civ. P. 72(b).

The parties are specifically advised that failure to object to the *Report and Recommendation* will result in a waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court adopting the *Report and Recommendation*. See *Thomas v. Arn*, 474 U.S. 140 (1985); *Smith v. Detroit Fed'n of Teachers, Local 231 etc.*, 829 F.2d 1370 (6th Cir. 1987); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

January 16, 2014

s/Norah McCann King
Norah M^cCann King
United States Magistrate Judge